

### Remarks

The following is a response to the Office Action dated November 21, 2003 in which claims 1-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al (JP 11-007722) and claims 9-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of Otomo et al (US 6640045).

Per the above amendment, claims 1-22 were canceled and claims 23-30 added.

The examiner is respectfully requested to take notice that Otomo is not prior art to the instant application insofar as the instant application claims priority from at least Japanese application (11-11755) filed on April 20, 1999, while the earliest publication date for the Otomo PCT application was July 8, 1999 (WO-993460A2). Applicant therefore reserves the right to file claims 9-22 in a divisional application at a later date.

The feature of the inventions of claims 23-30 is that the first information represents plural tunes including original tunes and bonus tunes, the second information includes first interactive data representative of group order numbers (GRN) for separating the tunes into groups including a group having only ones among the original tunes and a group having only ones among the bonus tunes and implementing playback of the tunes group by group, and the third information includes second interactive data representative of a password for permitting the playback of the group having only ones among the bonus tunes.

The group having only bonus tunes corresponds to "group #n" in Fig. 16 of the present application.

The foregoing feature of the inventions of claims 23-30 is believed not taught by Tanaka et al (11-7722).

Details of the differences of the inventions of claims 23-30 from Tanaka et al are as follows.

Claims 1-4 in Tanaka et al disclose interactive data used as a password for accessing bonus information (not a group of bonus tunes). Claims 5-8 in Tanaka et al disclose interactive data used as a group number for accessing a group of tunes (not bonus tunes).

Specifically, claim 7 in Tanaka et al recite a DVD audio disc loaded with digital data representative of tunes, a program for separating the tunes into groups and playing back the tunes on a group-by-group basis, and interactive data for accessing the tunes on a group-by-group basis.

Claim 7 in Tanaka et al do not disclose that the tunes in groups are formed by bonus information. Thus, claim 7 in Tanaka et al do not teach that the playback of a bonus-tune group is permitted by a password. In claim 7 in Tanaka et al, the interactive data are thought to be a group number for accessing a tune group.

Tanaka et al fail to teach that bonus information is separated into groups. In Tanaka et al, original tunes (not bonus tunes) are separated into groups.

Tanaka et al fail to teach first interactive data representative of group order numbers (GRN) for separating the tunes into groups including a group having only ones among the original tunes and a group having only ones among the

bonus-tunes. Tanaka et al fail to teach second interactive data representative of a password for permitting the playback of the group having only ones among the bonus tunes. The first interactive data and the second interactive data are contained in the inventions of claims 23-30.

In view of the foregoing, it is respectfully submitted that the instant application is patentable over Tanaka et al. Accordingly, the examiner is respectfully requested to reconsider the application and pass the same to issue.

Respectfully submitted,



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